



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

**2022 Town Meeting**

**Article 10**

**Amendment to Bylaw Tree Protection and  
Preservation**



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

## **Article 16 of Arlington Town Bylaws - TREE PROTECTION AND PRESERVATION**

(ART. 22, ATM - 05/02/16)(ART. 14, ATM – 04/23/18)(ART. 32, ATM 05/01/19)

In an effort to preserve the town tree canopy, Arlington passed Article 16 Tree Protection and Preservation Bylaw in 2016 and amended it at the 2018 and 2019 Town Meetings.

## 2022 Town Meeting

### Article 10 Bylaw Amendment/Tree Protection and Preservation



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

**The purpose of this warrant article is to solve 4 problems with the tree bylaw:**

1. Ambiguity of the definition of demolition
2. Not protecting trees less than 8" dbh
3. Incomplete Tree Plan submitted for review
4. Builders unaware of Article 16: Tree Protection and Preservation

## 2022 Town Meeting

### Article 10 Bylaw Amendment/Tree Protection and Preservation



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingtontrees.org](http://www.arlingtontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

First change:

**Section 2, Definitions, to change the definitions of: “Demolition” to be more specific about activities that can damage protected trees**

The Tree Bylaw applies only in (1) new construction on a parcel of land where there is no residential or nonresidential structure; or (2) construction of a large addition which increases the total footprint of the original building 50% or more; or (3) demolition of an existing residential or nonresidential structure. We request a change in the definition of demolition.

**Revised definition of demolition: “Demolition” - Any act of, or commencing the work of, the following: (1) destroying, pulling down, removing, or razing a building, or commencing the work of total or substantial destruction of a building; or (2) removing the roof structure of a building, or (3) removing 50% or more of the exterior wall area structure of a building. “Wall area” herein shall mean total length times height of walls removed.**

## 2022 Town Meeting

### Article 10 Bylaw Amendment/Tree Protection and Preservation



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

Second change:

**Section 2, Definitions, to change the definitions of: “Protected Tree” to increase the number of trees protected**

“Protected Tree” - Any existing healthy tree on private land with a DBH of ~~eight (8)~~ six (6) inches or greater located in the setback area, which does not pose an immediate hazard to persons or property or is not under imminent threat of disease or insect infestation.

## 2022 Town Meeting

### Article 10 Bylaw Amendment/Tree Protection and Preservation



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

Third change:

**Section 2, Definitions, to change the definition of: “Tree Plan” to require certification by a landscape professional;**

“Tree Plan” - A site plan drawn and stamped by a certified land surveyor or engineer, and stamped by a certified arborist or registered landscape architect, showing all Protected Trees ~~in the setback areas~~ as defined herein and public shade trees near the property, and indicating, on the site plan or in a separate document, which Protected Trees will be retained, which will be removed, and, how critical root zones of each Protected Tree and public shade tree will be protected from damage during site work.

## 2022 Town Meeting

### Article 10 Bylaw Amendment/Tree Protection and Preservation



ARLINGTON  
TREE  
COMMITTEE  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

Fourth change:

#### **Section 4, Procedures and Requirements for the Preservation of Trees, to add**

B. In all instances of construction or demolition as defined and applicable herein, the owner of the property shall submit a Tree Plan accompanied by a fee of \$50, to the Tree Warden prior to or concurrent with an application for a building or demolition permit. Additionally, if any Protected Trees were removed during the 12 months preceding the application for a building or demolition permit, such trees shall be accounted for on the Tree Plan to the best of the owner's ability and shall be mitigated pursuant to paragraph 4.C. If no Tree Plan is required, the owner shall sign an affidavit on the Building Permit Application that no Tree Plan needs to be filed per the Tree Bylaw.

**2022 Town Meeting**

**Article 10 Bylaw Amendment/Tree Protection and Preservation**



**ARLINGTON  
TREE  
COMMITTEE**  
[www.arlingontrees.org](http://www.arlingontrees.org)  
[ArlTreeCmte@gmail.com](mailto:ArlTreeCmte@gmail.com)

**Please vote YES on Article 10**